

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

ANDRE CARDELL KING, True Name: Andre Cordell King

Date of Previous Judgment: September 7, 1995,

(Use Date of Last Amended Judgment if Applicable)

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Case No: 3:94CR30-02

USM No: 10970-058

Matthew Pruden

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in 360 months in the last judgment issued) of Life months **is reduced to** Counts 1 and 7.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 44

Criminal History Category: V

Previous Guideline Range: Life to Life months

Amended Offense Level: 42

Criminal History Category: V

Amended Guideline Range: 360 to Life months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☒ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain): Defendant also received a 60 month consecutive sentence as to Count 8 for a total sentence of 420 months.

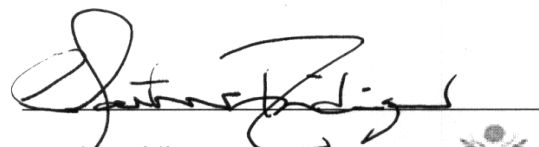
III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated September 7, 1995, shall remain in effect.

IT IS SO ORDERED.

Order Date: May 14, 2010

Effective Date: _____
(if different from order date)


Martin Reidinger
United States District Judge

